

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-6 remain in the application. Claims 1,3, and 6 have been amended.

In item 2 on pages 2-4 of the above-mentioned Office action, claims 1, 3, and 6 have been rejected as being anticipated by Wada (US 5,739,998) under 35 U.S.C. § 102(b).

In item 6 on pages 7-8 of the above-mentioned Office action, claims 2 and 4-5 have been rejected as being unpatentable over Wada in view of Satoh et al. (US 4,695,916) under 35 U.S.C. § 103(a).

As will be explained below, it is believed that the claims were patentable over the cited art in their previous form and the claims have, therefore, not been amended to overcome the references. However, the language of claims 1, 3, and 6 has been modified to even more clearly define the invention of the instant application. More specifically, it has been clarified that the control terminal (5) is formed in the same conductivity type as the region surrounding the control terminal. This can be clearly seen in the figures.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1, 3, and 6 call for, inter alia:

a control terminal for controlling the thyristor structure by an applied current embodied in one of said second region and said third region, said control terminal being formed of the same conductivity type as a surrounding region thereof.

It is noted that in Fig. 8 of Wada there is no control terminal connected with the regions that are connected with the input terminal 1. Rather, the input terminal 1 of Wada is the terminal on which the voltage for monitoring the overvoltage is applied.

As described in Wada, an overvoltage at the input terminal 1 leads to a leakage current between the terminal connected with the input terminal and the first terminal or the second terminal, depending on the polarity of the overvoltage. The input terminal is not a control terminal that results in a current flow between the first and second terminals.

Satoh et al. only describe discrete circuit configurations. Satoh et al. do not disclose the structure of the invention of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 3, and 6. Claims 1, 3, and 6 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 3, they are believed to be patentable as well.

In item 4 on pages 5-7 of the above-mentioned Office action, claims 1, 3, and 6 have been rejected as being anticipated by Ker et al. (US 2003/0075726 A1) under 35 U.S.C. § 102(e).

Applicant respectfully notes that the earliest US filing date of the reference Ker et al. **August 30, 2001**. See 35 U.S.C. § 102(e). As set forth in the Declaration of record, the instant application is a continuation application of copending International Application Serial No. **PCT/DE02/00547**, filed **February 15, 2002**, which claims international priority of the German Application No. **101 11 462.1**, filed **March 9, 2001**, under 35 U.S.C. § 119. Pursuant to 35 U.S.C. §§ 119, 120 and 363, applicant is entitled to the priority date of the German application. See MPEP §§ 201.13 and 1895. Thus, the instant application predates the reference Ker et al. Because the reference Ker et al. was filed after the priority date of the

instant application, applicant respectfully believes that the reference Ker et al. is unavailable as prior art.

Applicant acknowledges that perfection of priority can only be obtained by filing a certified English translation of the German priority application. See 35 U.S.C. § 119. A Claim for Priority including a certified copy of German application 101 11 462.1 was filed on September 9, 2003. A certified English translation of the priority application is enclosed herewith. Accordingly, applicant respectfully believes that priority has been perfected and the reference Ker et al. is unavailable as prior art. Therefore, applicant respectfully submits that the Section 102 rejection in item 4 on pages 5-7 of the Office action is now moot.

In view of the foregoing, reconsideration and allowance of claims 1-6 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

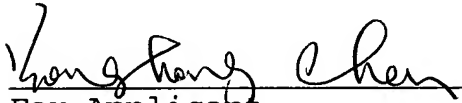
If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to

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the Deposit Account of Lerner and Greenberg, P.A., No. 12-
1099.

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Respectfully submitted,


For Applicant

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